

REMARKS

This is in response to the final Office Action dated February 28, 2007, in which claims 1, 5-9, 11-18, 21-22, 34, 36, 38, 42-46, 48-55, and 58-59 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Curry et al. (U.S. 4,560,492); claims 19-20 and 56-57 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Curry and further in view of Magari et al. (U.S. 4,416,809); claims 1, 3-11, 13, 15-28, 30, 32-38, 40-48, 50, 52-65, 67 and 69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Steindorf (U.S. 5,340,501); and claims 12, 14, 29, 31, 49, 51, 66 and 68 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Steindorf and further in view of Rolando et al. (U.S. 5,876,514).

With this Amendment, claims 1, 3-4, 34-35, 38, 40-41, and 55 have been amended and claims 5-9, 11, 13, 15, 19-22, 33, 36-37, 39, 42-46, 48, 50, 52, and 56-59 have been canceled. In reliance on the following remarks, the present application with pending claims 1, 3-4, 10, 12, 14, 16-18, 23-32, 34-35, 38, 40-41, 47, 49, 51, 53-55, and 60-69 is in condition for allowance, and reconsideration and notice to that effect are respectfully requested.

Claims 5-9, 11, 13, 15, 19-22, 33, 36-37, 39, 42-46, 48, 50, 52, and 56-59 are canceled without prejudice. In light of the cancellations, the rejections to claims 5-9, 11, 13, 15, 19-22, 33, 36-37, 39, 42-46, 48, 50, 52, and 56-59 should be withdrawn.

Claim Rejections Based Upon Curry et al.

In the Office Action, claims 1, 5-9, 11-18, 21-22, 34, 36, 38, 42-46, 48-55, and 58-59 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Curry et al. Independent claims 1, 34, and 38 have each been amended to require a ratio of HEDTA to water by weight of at least about 3:1, wherein HEDTA constitutes about 15% to about 93% by weight of the total weight of the solid cleaning composition. Support for this amendment can be found in the disclosure. Specifically, in order of increasing HEDTA% by weight and corresponding HEDTA/H₂O weight ratios, formulations G, F, B, A, Control, M, and N all formed a hard tablet, with formulation G at one end of the range having 15% HEDTA by weight and a HEDTA/H₂O wt ratio of 3:1, and

formulation N at the other end having 90% HEDTA by weight and a HEDTA/H₂O wt ratio of 18:1. Curry et al. does not read on the amended claims because it only disclosed compositions having HEDTA in a range of 0.5 to 10% by weight, with a preference of 2.5% to 8%. (See Abstract; Col. 2, lines 44-45; Col. 8, lines 17-23; Claims 1, 3, 6 and 10), and therefore is well below the about 15% to about 93% range. Furthermore, Curry does not teach a ratio of HEDTA to water by weight such that a solid composition is formed. Thus, the rejections of independent claims 1, 34, and 38 should be withdrawn. In that claim 1 is in condition for allowance, the rejections of claims 10, 12, 14, and 16-18 which depend therefrom should be withdrawn and those claims allowed. In that claim 38 is in condition for allowance, the rejections of claims 47, 49, 51, and 53-55 which depend therefrom should be withdrawn and those claims allowed.

Claim Rejections Based Upon Curry et al. in view of Magari et al.

In the Office Action, claims 19-20 and 56-57 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Curry et al. and further in view of Magari et al. In that claims 19-20 and 56-57 have been cancelled without prejudice, this rejection is now moot.

Claim Rejections Based Upon Steindorf

In the Office Action, claims 1, 3-11, 13, 15-28, 30, 32-38, 40-48, 50, 52-65, 67 and 69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Steindorf. However, independent claims 1, 34, and 38 as currently amended claim ratios of HEDTA/H₂O by weight that are not taught by Steindorf. As the Office Action pointed out, Steindorf teaches that the alkali metal salts of the aminocarboxylate sequestering agent, such as HEDTA, should comprise about 20-40 wt%, preferably about 25-35 wt%, of the detergent composition (Col. 3, lines 55-58), with water comprising 15-25 wt%, preferably about 15-20 wt% (Col. 5, lines 38-41). At its broadest disclosure, Steindorf thus teaches a HEDTA/H₂O ratio by weight of 40 to 15, or 2.67:1, and preferentially teaches even tighter ratios (for example, 35 to 15 = 2.33:1, 25 to 20 = 1.25:1, etc.), all of which lie below the claimed 3:1 ratio of the amended independent claims.

Thus, the rejections of independent claims 1, 34, and 38 should be withdrawn. In that claim 1 is in condition for allowance, the rejections of claims 3-4, 10, 16-18, 23-28, and 32 which depend therefrom should be withdrawn and those claims allowed. In that claim 34 is in condition for allowance, the rejection of claim 35 which depends therefrom should be withdrawn and claim 35 allowed. In that claim 38 is in condition for allowance, the rejections of claims 40-41, 47, 53-55, 60-65, 67, and 69 which depend therefrom should be withdrawn and those claims allowed.

Claim Rejections Under Steindorf in view of Rolando et al.

In the Office Action, claims 12, 14, 29, 31, 49, 51, 66, and 68 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Steindorf and further in view of Rolando et al. In that independent claim 1 is in condition for allowance, the rejections of claims 12, 14, 29, and 31, which depend therefrom, should be withdrawn, and those claims allowed. In that independent claim 38 is in condition for allowance, the rejections of claims 49, 51, 66, and 68, which depend therefrom, should be withdrawn and those claims allowed.

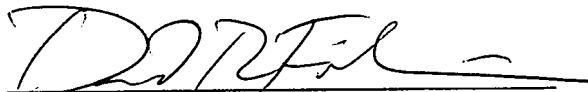
Conclusion

In view of the foregoing, pending claims 1, 3-4, 10, 12, 14, 16-18, 23-32, 34-35, 38, 40-41, 47, 49, 51, 53-55, and 60-69 are in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

KINNEY & LANGE, P.A.

Date: 1/17/07

By: 

David R. Fairbairn, Reg. No. 26,047

THE KINNEY & LANGE BUILDING

312 South Third Street

Minneapolis, MN 55415-1002

Telephone: (612) 339-1863

Fax: (612) 339-6580

DRF/JC